

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF VERMONT**

In re:

**R & G Properties, Inc.,  
Debtor.**

**Chapter 11 Case  
# 08-10876**

*Appearances: Michelle Kainen, Esq.  
Kainen Law Office, PC  
White River Junction, VT  
For the Debtor*

*Heather Z. Cooper, Esq.  
Kenlan, Schwiebert, Facey  
& Goss, PC  
Rutland, VT  
For the Moving Creditor*

*Kevin Purcell, Esq.  
Office of the U.S. Trustee  
Albany, NY  
For the U.S. Trustee*

**ORDER**

**DENYING DEBTOR'S MOTION TO VALUE COLLATERAL AS MOOT**

WHEREAS, on May 25, 2009, the Debtor filed a motion to value the collateral securing the claim of Capmark Finance, Inc. ("Capmark") at \$2,455,00.00, to allow Capmark's secured claim in this amount, and to fix the interest rate on this secured claim at 6.0% (doc. # 174; hereafter the "Valuation Motion"); and

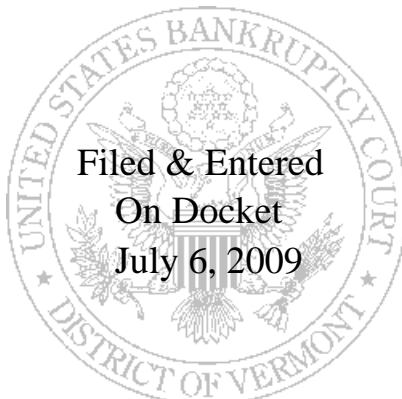
WHEREAS, on June 16, 2009, Capmark filed an objection to the Valuation Motion asserting that the Debtor had underestimated the market value of the Debtor's mobile home parks, failed to adequately account for the income stream associated with those properties, and impermissibly proposed a below-market rate of interest (doc. # 190); and requesting an Order that valued Capmark's collateral, and set the amount of Capmark's allowed secured claim, at \$3,260,000, and fixing the interest rate on that secured claim at 8.35%; and

WHEREAS, earlier today an Order was entered dismissing this chapter 11 case, based upon the Court's finding that the Debtor would not be able to have a plan confirmed;

IT IS HEREBY ORDERED that the Valuation Motion is DENIED as moot.

SO ORDERED.

July 6, 2009  
Rutland, Vermont



Filed & Entered  
On Docket  
July 6, 2009

A handwritten signature in black ink, reading "Colleen A. Brown".

Colleen A. Brown  
United States Bankruptcy Judge